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DETAILED ACTION

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Zuschlag on 9/24/2008.

The claims have been amended as follows:

Claims 15-23 have been canceled.

New claims 24, 25 and 26 have been added as follows:

--Claim 24. (New) A fence comprising:

at least one fence post having a T-shaped cross section formed by a front plate and a transverse plate extending perpendicularly from a centerline of the front plate, the transverse plate having at least one through hole;

a connecting bolt having a head, a threaded shaft, and a longitudinal through slit forming a hollow that completely bifurcates the shaft and partially extends into the head;

a first fence panel of welded bars having a first end bar;

a second fence panel of welded bars having a second end bar; and

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wherein the shaft extends through the through hole, the hollow receives the first and second end bars therethrough, and a nut is fastened to the threaded shaft to clamp the end bars to opposite sides of the transverse plate between the head and nut.--

--Claim 25. (New) A fence as defined in Claim 24, wherein the first and second end bars of said first and second end panels are free to angularly move in said hollow prior to clamping the end bars, whereby said first and second fence panels can be fixed at an angle with respect to each other.--

--Claim 26. (New) A fence as defined in claim 24, wherein the first and second end bars of said first and second end panels are free to axially move in said hollow prior to clamping the end bars, whereby said first and second fence panels can be fixed at different heights with respect to each other.--

Allowable Subject Matter

Claims 24-26 are allowed. The following is an examiner's statement of reasons for allowance:

- The prior art does not anticipate "a fence... wherein the shaft extends through the through hole, the hollow receives the first and second end bars therethrough, and a nut is fastened to the threaded shaft to clamp the end bars to opposite sides of the transverse plate between the head and nut" in conjunction with the remaining claim 24 limitations.

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- The prior art does not provide any teaching, suggestion or motivation (TSM) to modify the prior art as such.
- There is no cogent reasoning that is unequivocally independent of hindsight that would have led one of ordinary skill in the art at the time the invention was made to modify the prior art to obtain the applicant's invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor MacArthur whose telephone number is (571) 272-7085. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

September 29, 2008

/Victor MacArthur/
Primary Examiner, Art Unit 3679